

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Michael N. Nikiforakis,

Plaintiff,

v.

Misc. No. 08-46 (JNE/JSM)
ORDER

Hennepin County Sheriff
Richard W. Stanek,

Defendant.

This case is before the Court on a Report and Recommendation issued by the Honorable Janie S. Mayeron, United States Magistrate Judge, on September 15, 2008. The magistrate judge recommended that Plaintiff's motion to file his proposed complaint under seal be denied and that Plaintiff's application to proceed in forma pauperis be denied as moot. Plaintiff objected to the Report and Recommendation. The Court has conducted a de novo review of the record, including the additional submissions made by Plaintiff on October 1, 2008. *See* D. Minn. LR 72.2(b). Based on that review, the Court adopts the Report and Recommendation. Therefore, IT IS ORDERED THAT:

1. Plaintiff's motion to file his proposed complaint under seal is DENIED.
2. Plaintiff's application to proceed in forma pauperis is DENIED AS MOOT.
3. The Clerk of Court is directed to retain Plaintiff's proposed complaint and additional submissions, under seal, as an exhibit in the present Miscellaneous File.
4. The present Miscellaneous File is closed.

Dated: October 27, 2008

s/ Joan N. Ericksen
JOAN N. ERICKSEN
United States District Judge